



IFW 2116 \$

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/753,326
		Filing Date	December 29, 2000
		First Named Inventor	Pankaj Kedia
		Art Unit	2116
		Examiner Name	Chen, Tse W.
Total Number of Pages in This Submission	17	Attorney Docket Number	42390P10227

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">- First Class Certificate of Mailing; and - Return receipt postcard</div>
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Firm or Individual name	Gordon R. Lindeen III, Reg. No. 33,192 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	August 15, 2006

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Signature		Date	August 15, 2006



FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

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Filing Date	December 29, 2000
First Named Inventor	Pankaj Kedia
Examiner Name	Chen, Tse W.
Art Unit	2116
Attorney Docket No.	42390P10227

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
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under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	500.00
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
SUBTOTAL (2)					(500.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Gordon R. Lindeen III	Registration No. (Attorney/Agent)	33,192	Telephone	(303) 740-1980
Signature		Date	08/15/06		



Docket No.: 42390P10227

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re the Patent Application of:)
)
Pankaj Kedia)
)
Serial No.: 09/753,326) Art Unit: 2116
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Filed: December 29, 2000)
)
For: Low Power Subsystem For Portable) Examiner: Chen, Tse W.
Computers)
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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313

APPEAL BRIEF
IN SUPPORT OF APPELLANT'S APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicants (hereafter "Appellants") hereby submit this Brief in support of its appeal from a final decision by the Examiner, mailed March 16, 2006 in the above-captioned case. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the above-captioned patent application.

An oral hearing is not desired.

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Docket No.: 42390P10227
Application No.: 09/753,326

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I. REAL PARTY IN INTEREST

The invention is assigned to Intel Corporation of 2200 Mission College Boulevard, Santa Clara, California 95052-8119.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences that are related to, will directly affect, will be directly affected by, or have a bearing on the Board's decision in the present appeal.

III. STATUS OF THE CLAIMS

Claims 29-56 are currently pending in this application. Claims 1-28 have been canceled. No claims have been allowed. All pending claims were rejected as obvious in the final Office action mailed March 16, 2006 and are the subject of this appeal.

Claims 29, 33, 34, 36, 37, 38, 43, 45-51, 54, 55, 56 stand rejected under 35 U.S.C. §103 as obvious.

IV. STATUS OF AMENDMENTS

In response to the Final Office Action mailed on March 16, 2006, rejecting claims 29-56, Appellants timely filed a Notice of Appeal on June 16, 2006.

A copy of all claims on appeal is attached hereto as Appendix A.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Claim 29 is presented as a method with the following elements:

transitioning a central processing unit (CPU) (102 Page 4, line 9) of a computer system (100, Page 4, line 8) into a low power mode (See page 3, lines 3-6, lines 12-15,), the computer system having a memory (105 Page 4, line 18),

activating a low power subsystem (110 Page 5, line 11) when the CPU enters the low power mode, the low-power subsystem including a low power processor (111 Page 5, line 11), an external interface (115 Page 5, line 18) and a low power memory (113 Page 5, line 13);

independent of the CPU (See page 3, lines 7-10, , using the low power processor of the low power subsystem to access data contained within the computer system memory (See page 3, line 21-page 4, line 1, page 5, lines 17-22, page 6, lines 1-6, lines 15-16); and

providing the accessed data through the external interface of the low-power subsystem.

Claim 38 is presented as an apparatus with primarily the same features as Claim 29.

Claim 51 is directed only to the low power subsystem portion of Claim 29. It further includes a user input unit. This may be implemented through the Bluetooth interface 116 with an antenna 130 (See page 4, lines 2-4). A microphone may also be used (See page 7, lines 5-8).

The invention of Claim 1 may be easily understood in the context of the Background section of the present invention and in view of paragraph 5 which reads as follows.

A low-power subsystem for a portable computer, which operates while the computer is in a low-powered mode in which the CPU performs in a less active state, is disclosed. Normally, when the notebook computer is in low power mode (also called

powered down mode) during which the CPU is in a less active state and the notebook display screen may be in the closed position, the data stored within the computer typically cannot be accessed. One embodiment described herein allows access to the data while the computer is low power mode by use of a low-power subsystem (LPS) in the computer with access to the same memory storage as the CPU. The subsystem acts independently of the CPU, which would not be able to perform the necessary functions during low power mode. The subsystem allows the notebook to perform several functions while in the low power mode, such as, for example, act like a travel assistant for the user, provide entertainment, and make electronic purchases.

VI. GROUND OF REJECTION

The rejection of claims 29, 33, 34, 36, 37, 38, 43, 45-51 and 54, 55, 56 under 35 U.S.C. §103 (a) as being unpatentable over Ditzik, U.S. Patent 5,983,073 (“Ditzik”), in view of Kim, U.S. Patent No. 6,044,473 (“Kim”).

VII. ARGUMENT

Introduction

While the arguments below are directed only to Claim 29, they are believed to apply also to the other pending claims.

A. Claim 29 is not obvious when neither reference suggests “activating a low-power subsystem when the [computer system] CPU enters the low-power mode”

The Examiner has rejected claims 29, 33, 34, 36, 37, 38, 43, 45-51 and 54, 55, 56 under 35 U.S.C. §103 (a) as being unpatentable over Ditzik, U.S. Patent 5,983,073 (“Ditzik”), in view of Kim, U.S. Patent No. 6,044,473 (“Kim”).

Claim 29 recites, “activating a low power subsystem when the CPU enters the low power mode.”

Ditzik shows a modular portable device that combines a notebook computer, cellular telephone, and tablet PC into a single housing. The modules are best seen in Figure 2. The tablet/display 2 is held onto a cover assembly 8, 9, 16 by an expandable hinge 10. The cover assembly can be separated into its respective three pieces. The first piece 9 is the battery, the middle piece 16 is the keyboard and the third piece 8 carries a “wireless handset” 14 that supports typical cellular telephone standards (Column 5, line 57).

The only interaction between the wireless handset and the rest of the system that is suggested anywhere in Ditzik is that the base unit 100 can act as an RF repeater (see e.g. 8:32-58)). The telephone is summarized at 8:19-25. It is simply a cellular telephone. Ditzik never discloses or suggests that any components (except perhaps for some radio components and the display) are less than fully-powered and operational all the time.

Kim is cited only for showing that a computer may have a low power mode. In Kim, the notebook computer enters the low power mode when the lid is closed due to a concealed switch (See, e.g. ABSTRACT and Description of the Related Art.)

In the Response to Arguments section of the March 16, 2006 Office action, the Examiner agrees that Kim does not show a low-power subsystem. The Examiner relies upon Ditzik for this teaching. The Examiner appears to assert that Ditzik discloses a telephone 14 as a low-power subsystem.

The Examiner would appear to be arguing that the fully powered telephone 14 is a low-power subsystem that can operate with the base station 100 system memory 40, 42 while the base station 100 and its CPU 38 are in the low-power mode of Kim.

Claim 29 recites, "activating a low power subsystem when the CPU enters the low power mode." This is not taught or suggested in either reference. The only way to achieve such an operation is to switch a modified Ditzik computer 100 in Kim's low power mode and to then turn on the telephone 14 at about the same time. While it may be possible for a user to do this, there is no motivation to do so in either reference. Accordingly, this limitation of Claim 29 is not met by the references alone or in combination.

B. Claim 29 is not obvious when neither reference suggests "using the low power processor of the low power subsystem to access data contained within the computer system memory."

In the Response to Arguments section of the March 16, 2006 Office action, the Examiner agrees that Kim does not show a low-power processor that acts independently of the CPU. The Examiner again relies upon Ditzik for this teaching. The Examiner appears to assert that the telephone in Ditzik interfaces with a user to access data in the notebook computer section without the CPU 38 (microprocessor 38 of Figure 7, not interface slot/connector 38 of Figure 2).

The Examiner would appear to be arguing that the fully powered telephone 14 is a low-power subsystem that can operate with the base station 100 system memory 40, 42 while the base station 100 and its CPU 38 are in the low-power mode of Kim.

Regarding this limitation, the Examiner cites Ditzik at 8:4-58, 9:55-10:10, and 13:1-30. None of these sections suggest that the telephone 14 may be used to access data in the system memory 40, 42, nor that it be able to access such data independent of the CPU 38. (Ditzik has no other memory to access than the items 40, 42, shown in Figure 7.) The only interaction between the wireless handset and the rest of the system that is suggested anywhere in Ditzik is that the base unit 100 can act as an RF repeater (see e.g. 8:32-58)). This would not involve accessing data within the base unit.

Claim 29 recites, "independent of the CPU, using the low power processor of the low power subsystem to access data contained within the computer system memory."

Claim 29 further recites, "providing the accessed data through the external interface of the low-power subsystem." Since the telephone 14 is not capable of accessing data in the computer 100, it is further incapable of providing such accessed data in any way.

Since Kim does not show a low-power subsystem, it does not add anything to this aspect of the rejection. Accordingly, this limitation of Claim 29 is also not met by the references alone or in combination.

All other claims are believed to be allowable on the grounds presented above. The Examiner does not cite any of the other references for the teachings of the independent claims 29, 38 and 51.

VIII. CONCLUSION

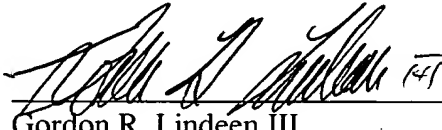
Appellants respectfully submit that all the appealed claims in this application are patentable and request that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

Please charge any shortages and credit any overpayment to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: August 15, 2006

A handwritten signature in black ink, appearing to read "Gordon R. Lindeen III", is written over a horizontal line.

Gordon R. Lindeen III
Attorney for Appellant
Registration Number: 33,192

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1030
(303)-740-1980

APPENDIX OF CLAIMS (37 C.F.R. § 1.192(c)(7))

29. A method comprising:
- transitioning a central processing unit (CPU) of a computer system into a low power mode, the computer system having a memory,
- activating a low power subsystem when the CPU enters the low power mode, the low-power subsystem including a low power processor, an external interface and a low power memory;
- independent of the CPU, using the low power processor of the low power subsystem to access data contained within the computer system memory; and
- providing the accessed data through the external interface of the low-power subsystem.
30. The method of Claim 29, wherein accessing data comprises accessing data through a shared database of the low-power subsystem, the method further comprising storing at least a partial copy of data accessed from the computer system memory in the shared database.
31. The method of Claim 29, wherein accessing data contained within the computer system memory comprises accessing data contained within a disk drive unit.
32. The method of claim 31, wherein the data contained in the shared database includes multimedia data.
33. The method of claim 29, further comprising accessing data from a network via the external interface of the low-power subsystem.
34. The method of claim 33, wherein accessing data from the network comprises accessing data from the network using a wireless interface.

35. The method of claim 33, wherein accessing data from the network comprises accessing data from ~~is~~ an electronic store allowing an electronic purchase.

36. The method of claim 29, wherein providing the accessed data through the external interface comprises presenting the data accessed to a user via a display of the external interface of the low-power subsystem.

37. The method of claim 29, wherein providing the accessed data through the external interface comprises presenting the data accessed to a user via an audio medium of the external interface of the low-power subsystem.

38. An apparatus comprising:

a computer system having a central processing unit, a system memory, a mass storage device, and a user interface, the computer system having a low-power mode; and

a low-power subsystem in operation when the computer system enters the low-power mode, the low power subsystem having a low power processor, a low power subsystem memory and an external interface independent of the computer system, the low power processor providing access to the computer system when the computer system is in the low power mode and the external interface providing data accessed from the computer system externally.

39. The apparatus of Claim 38, further comprising a shared database coupled to the computer system and to the low-power subsystem and wherein the low power processes accesses the computer system through the shared database.

40. The apparatus of Claim 39, wherein the computer system memory ~~device~~ comprises a random access memory coupled to the central processing unit, and wherein the computer system mass storage device comprises a disk drive unit coupled to the central processing unit.

41. The apparatus of Claim 40, wherein the shared database is coupled to the disk drive unit, the shared database to store at least a partial copy of data stored on the disk drive unit.

42. The apparatus of claim 39, wherein data contained within the shared database includes multimedia data.

43. The apparatus of claim 38, wherein the low-power subsystem external interface comprises a wireless interface is to connect with a local area network.

44. The apparatus of claim 39, wherein the low power subsystem external interface comprises a video display to display data from the shared database.

45. The apparatus of claim 38, wherein the external interface of the low-power subsystem further comprises a wireless user interface to receive verbal commands from a user.

46. The apparatus of claim 45, wherein the wireless user interface further comprises an audio headset to receive audio data transmitted from the wireless user interface.

47. The apparatus of claim 38, wherein the low-power subsystem external interface further comprises an interface to transmit data to a cellular phone.

48. The apparatus of claim 38, wherein the computer system comprises a main screen and the low-power subsystem comprises a miniature display screen and wherein the low-power subsystem including the miniature display screen is activated when the main screen is closed.

49. The apparatus of claim 38, wherein the computer system comprises stored multimedia data, wherein the low-power subsystem accesses the stored multimedia data

and wherein the low-power subsystem presents the multimedia data to a user through the external interface.

50. The apparatus of claim 49, wherein the low-power subsystem presents the multimedia data to the user over a miniature display screen of the external interface.

51. A low-power subsystem comprising:

a miniature display screen;

a user input unit;

a low-power subsystem memory; and

a low-power processor coupled to the miniature display screen, to the user input unit, and to the memory, the low-power processor providing access for the miniature display screen and the user input unit to a connected computer system when the connected computer system is in a low-power mode.

52. The low-power subsystem of claim 51 wherein the processor provides access to the computer system through a shared database, the shared database being a part of the low-power subsystem.

53. The low-power subsystem of claim 52, wherein the shared database is coupled to the computer system to store at least a partial copy of data stored in the computer system.

54. The low-power subsystem of claim 51, further comprising a wireless interface to connect to an external network.

55. The low-power subsystem of claim 51, further comprising a wireless interface to connect the user input unit and the processor.

56. The low-power subsystem of claim 51 wherein the user input unit comprises a wireless user interface to receive verbal commands from a user.

XI. EVIDENCE APPENDIX

None.

XII. RELATED PROCEEDINGS APPENDIX

None.